IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.56947-M of 2006

DATE OF DECISION:13.11.2006

Gurtej Singh & Anr. .....Petitioners

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Kranti Dhir, Advocate
for the petitioners.

Shri N.S. Gill, AAG, Punjab.

Shri H.S. Sandhu, Advocate
for the complainant.

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The Petitioners apprehending their arrest in a non-bailable offence in case FIR No. 150 dated 25.8.2006 under Sections 420/467/120-B IPC, registered at Police Station Guruharshai, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that in the aforesaid FIR, main accused Sukhdev Singh, who allegedly exhorted son of the complainant to pay Rs.4.20 lacs, has been arrested. Counsel contends that petitioners No.1 and 2 are brother and wife, respectively, of Sukhdev Singh and against them, there is no specific allegation in the FIR.

Counsel for the petitioners contends that in view of the order dated 21.9.2006, the petitioners have joined the investigation. Counsel for the respondent-State does not dispute this fact and further states that the petitioners are no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 21.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 13, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**